

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, OCTOBER 4, 2007, 9:00 a.m.

Committee Members Present: Mayor Lowe in the Chair, Councillors Coleman, Fortin, Hughes, Madoff, Thornton-Joe and Young.

On Leave: Councillor Chandler.

Absent: Councillor Holland.

Staff Present: M. McCliggott – Assistant City Manager; R. Woodland -Corporate Administrator; C. Havelka - Recording Secretary.

Staff Present for a Portion of the Meeting: D. Day – Director of Planning & Development; K. Josephson – Manager, Corporate Communications; W. Zink – Manager, Social Planning and Housing; M. Lam – Senior Urban Design Planner; A. Hudson – Senior Planner; B. Sikstrom, Senior Planner; S. Stern S. Barber – Senior Heritage Planner; E. Robertson – Manager, Water and Environment; S. Stern – Land Technologist; J. Mitton - Deputy Subdivision Approving Officer; B. Naughton – Deputy Police Chief; M. Mayhew – Executive Assistant; T. Snow – Manager, Civic Services.

1. MEETING CALLED TO ORDER BY THE CHAIR AT 9:02 a.m.

2. APPROVAL OF THE AGENDA

The Chair outlined the following changes to the October 4, 2007, Committee of the Whole agenda:

- Item # 7 – Colour Copies for Council.
- Item # 10 – Withdrawn.
- Item # 13 – Addition of draft bylaw.
- Item # 15 – Proclamation – ‘GuluWalk’
- Item # 17A – Downtown Regulation of Late Night Nuisances.

Councillor Sharing or Inquiry:

1. Councillor Fortin – One Inquiry - Closed Item

Action: Councillor Coleman moved that the Agenda of the October 4, 2007 Committee of the Whole meeting be approved as amended.

CARRIED 07/530

3. ADOPTION OF MINUTES

3.1 September 20, 2007 Committee of the Whole Minutes

Action: Councillor Hughes moved that the minutes of the September 20, 2007 Committee of the Whole meeting be adopted.

CARRIED 07/529

4. PRESENTATION

4.1 United Way Campaign

The Director of Legislative and Regulatory Services introduced Catherine Brooks from the United Way and outlined for Committee this year's United Way of Greater Victoria campaign. This campaign provides essential funding to over sixty community service agencies throughout the Capital Region. The 2007 United Way Campaign identifies the need to address social issues regarding Housing for Homeless, Low Income & Working Poor, Mental Health & Addictions and Family & Community Well-Being as the top community priorities for the Capital Region. Individual and corporate support for the United Way and its member agencies will assist in addressing these community priorities and generate positive impacts for individuals, families and the community.

This year's campaign is off to a good start but the challenge this year is to increase donations by \$70,000.

Proclamation – “City of Victoria United Way Campaign Month” October, 2007

Action: Councillor Thornton-Joe moved that October, 2007 be proclaimed as “*City of Victoria United Way Campaign Month*”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/528

5. DELEGATIONS

5.1 North Park Neighbourhood Association

Committee received a presentation from K. Atwood, President of the North Park Neighbourhood Association (NPNA) as well as secretary S. Ness. The NPNA outlined for Committee safety issues in their neighbourhood, specifically drug use, discarded needles and crime. The NPNA has developed three specific needs for Committee to consider, as follows:

1. A *Crime Prevention Through Environmental Design* (CPTED) review of Cormorant, Fisgard, North Park, Balmoral, and Mason Streets between Blanshard Street and Cook Street and request that the City assign a staff to on this and other projects. Also requested was for the City to announce and hold a public meeting sharing the results of the CPTED Review.

2. Requesting that the City provide any financial, human, and time resources necessary to reproduce this program in the North Park Neighbourhood as well as any financial assistance required to advertise the program.
3. Assistance in creating a more unified neighbourhood. The NPNA is a small association with big problems and do undertake their own fundraising but request that the City provide a bulletin board for the NPNA along the footpath in Central Park.

The NPNA are requesting that the City assist them in reducing crime through realistic and practically applicable means, and to support them in their efforts to empower themselves through community crime prevention, the development of a unified neighbourhood identity, and through improved communications.

The Mayor advised the delegates that Councillor Fortin, as liaison for their neighbourhood, can keep them updated on developments. Councillor Fortin advised that NPNA has been selected for a Crime Prevention Program. Councillor Madoff advised that she will research the cost of an answering service, similar to the one the Jubilee neighbourhood uses and report back to NPNA.

5.2 Tipitapa and Managua Delegation

Committee received a presentation from delegates from Tipitapa and Managua, Micheline Caron, FCM Regional Coordinator for Latin America; Mayor Norman Ulysses Córdoba of Tipitapa, Engineer; Marcia Rayo Sosa, Municipal Manager (Tipitapa); Noel Cordonero Navas, Engineer (Tipitapa); Mayor Dionisos Marengo of Managua, Engineer, President of AMUNIC; Manuel Alberto Ordeñana Cuadra, Environment Advisor, Managua.

Ms. Caron thanked the Federation of Canadian Municipalities for their support and Victoria for introducing them to waste management strategies. Knowledge taken from Victoria's award winning land fill site will help them find solutions for the garbage problem in Nicaragua.

An agreement between Managua and Tipitapa is an important step towards good business when the two cities can work together. Committee members commented on the importance of this partnership and the environment with respect to carbon credits and water management technology.

The Mayor withdrew from Council Chambers at 9:33 a.m. as he has a direct pecuniary conflict with the following item.

Councillor Coleman assumed the Chair.

6. DEVELOPMENT SERVICES

6.1 Development Permit # 000095 for 819 Yates Street

Committee received a report dated October 4, 2007 from Development Services with respect to Development Permit # 000095 for 819 Yates Street.

This is a Development Permit application is for a building comprising two residential towers of varying heights separated by a landscaped courtyard, ground level commercial use, underground parking and a mid-block walkway. There is a concurrent Rezoning application in process as the proposal requires an increase in density and height.

The applicant's letter detailing this proposal is attached to the report for information. Variances to setbacks and height are proposed (which would be incorporated into the new zone as part of the Rezoning application). The variance to the massing setback above 10 m can be supported as it contributes to liveability by concentrating the density vertically to provide more internal courtyard space, landscaped overlook and greater separation distance between the two towers. The height increase for the Yates Street tower is also supported as concentrating the density in this manner permits a shorter tower on View Street which lessens the visual impact of height on the landmark St. Andrew's Cathedral spire.

The proposed design was considered by the Advisory Design Panel, which recommended that the application be approved with minor refinements. The refined design has resulted in a proposal that is generally consistent with the *Downtown Victoria Plan, Advisory Design Guidelines for Buildings, Signs and Awnings, the City's Interim Building Height Policy and Interim Design Guidelines*. The refinements include:

1. Setting back bedroom walls and windows facing side parcel lines to provide greater separation distances; and
2. Refining the building along the mid-block walkway for better consistency with Crime Prevention Through Environmental Design (CPTED) principles including the provision of bevelled edges at the entrances to the residential towers to improve sightlines and reduce blind spots, and extending commercial glazing along the walkway for further activity.

A Committee member inquired about future adjacent development and what impact that may have on the ninety meter zone around St. Andrew's Cathedral. Committee was advised by staff that this landmark spire gives strong direction in regards to building heights.

Action: Councillor Thornton-Joe moved:

1. That the proposed resolution noted below be considered at the same public meeting for which a Public Hearing is held for the Zoning Bylaw Amendment for 819 Yates Street, and subject to Council's adoption of the Zoning Bylaw Amendment.
2. That Council authorize the issuance of a Development Permit in accordance with:
 - a) Plans stamped 'Development Permit 000095' dated June 26, 2007 and design refinements dated September 18, 2007.
 - b) Development meeting all Zoning Bylaw requirements.
 - c) Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 07/527

Mayor Lowe returned to Council Chambers at 9:44 a.m. and assumed the Chair

Councillor Fortin withdrew from Council Chambers at 9:44 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item

6.2 Development Permit # 000102 for 388 Harbour Road (Building CI-2)

Committee received a report dated September 25, 2007 from Development Services with respect to Development Permit # 000102 for 388 Harbour Road (Building CI-2). This application is to construct Building CI-2, a three-storey mixed use light industrial and commercial office building at 388 Harbour Road. The site is located within Development Area DA-D, south of the Waste Water Treatment Plant proposal that was approved by Council in April of this year. The application covers both the proposed building and subdivision of the site.

The proposed Building CI-2 is the first installment of the light industrial and commercial buildings to be developed in DA-D along the Harbour Road frontage. It shares a common vehicular laneway with a future paired residential Building R4 on its west.

The proposal is consistent with the overall objectives of the *Design Guidelines for the Dockside Area*. As described in the applicant's letter dated August 30, 2007, efforts have been focused on creating a built form that is additive, asymmetrical and irregular to evoke a small scale maritime industrial character special to this area, while maintaining energy efficiency. Additional refinements on the southern and northern portions of the building could bring the building expression even closer to that objective and provide a lively yet pleasant entrance to the shared laneway which also provides access to the future residential Building R4.

As this Development Permit application includes variances, there is a requirement for notification, sign posting, and a hearing.

A Committee member suggested that the front of the building requires profile relief and staff advised that further refinement has been requested.

A Committee member expressed concerns with respect to the surface parking around the site. Staff advised that measures are being implemented to reduce the potential conflict between residential and commercial uses.

Action: Councillor Thornton-Joe moved That Council authorize the issuance of a Development Permit (for building and subdivision) in accordance with:

1. Plans stamped 'Development Permit #0000102' dated September 21, 2007.
2. Development meeting all bylaw requirements except:
Section 12.9.7 — Relax parking requirement for office use from 1 space for 65 m² to 1 space per 70.5 m².
3. Final plans to be in accordance with plans identified above with the incorporation of responses to staff's comments prior to Building Permit

stage to the satisfaction of the Director of Planning & Development Department.

CARRIED 07/526

Councillor Fortin returned to Council Chambers at 9:54 a.m.

6.3 Request to Amend Existing Heritage Revitalization Agreement for 825 Foul Bay Road

Committee received a report dated September 26, 2007 from Development Services with respect to a Request to Amend an Existing Heritage Revitalization Agreement for 825 Foul Bay Road which is a property that lies partially within the City of Victoria.

This application is to allow an additional suite in a 5-suite conversion. As the property is partially in Victoria, the District of Oak Bay is technically required to include the City in the agreement. The Local Government Act, Section 966 (1), requires that a Heritage Revitalization Agreement be authorized by bylaw and a Public Hearing will be held by the District of Oak Bay.

The additional suite is in the District of Oak Bay. No exterior changes to the house are proposed. The proposal will result in improved safety as well as the continued upkeep and maintenance of the house with minimal impacts on adjacent properties.

Action: Councillor Thornton-Joe moved that City Council instruct the City's Solicitor to prepare the necessary bylaws for the authorization of the amendment to the Heritage Revitalization Agreement for 825 Foul Bay Road in conjunction with the District of Oak Bay.

CARRIED 07/525

6.4 Tax Exemption Request for 530 – 534 Broughton Street / 1005 Langley Street

Committee received a report dated October 4, 2007 from Development Services with respect to a Tax Exemption Request for 530 – 534 Broughton Street / 1005 Langley Street. This is an application for a 10-year tax exemption to assist with the rehabilitation of the BC Land and Investment Company building at the corner of Broughton Street and Langley Street. This application is the second application to be considered under an expansion of the Tax Incentive Program for non-residential uses, approved by City Council on March 11, 2004. The estimated cost of the rehabilitation is \$4,464,625.00. The project is worthy of support as it contributes to the City's strategic objective of strengthening the downtown, and assists in the preservation and rehabilitation of an important heritage building. The financial pro forma has been analyzed by an independent consultant, as required for commercial applicants for the Tax Incentive Program. The consultant recommends approval of the 10-year exemption as without it the project would not be viable. A

copy of the letter dated July 31, 2007 from the applicant, Richard Holmes, requesting the exemption, is appended.

Action: Councillor Thornton-Joe moved that the City's Solicitor be instructed to prepare a Tax Exemption Bylaw for 530-534 Broughton Street/1005 Langley Street, pursuant to Section 225 of the Local Government Act with the following conditions:

1. That a covenant identifying the tax exemption be registered on the land title and any possible future strata titles.
2. Final costs of rehabilitation to be verified by the Victoria Civic Heritage Trust.

CARRIED 07/524

7. ENGINEERING

7.1 Appeal to Accept an Application for Strata Conversion of an 11 unit Residential Building at 417 Vancouver Street

Committee received a report dated September 19, 2007 from Engineering with respect to an Appeal to Accept an Application for Strata Conversion of an 11 unit Residential Building at 417 Vancouver Street.

The City of Victoria policy on strata conversion of existing residential buildings is that applications for residential buildings containing more than four units will not be accepted when the CMHC apartment vacancy rate for the City falls below 4%. The vacancy rate was most recently reported as 0.8%. The policy permits an applicant to appeal to Council (see letter attached to report).

The applicant for the strata conversion of the previously occupied residential building containing 11 suites at 417 Vancouver Street has been advised that a formal application for strata conversion will not be accepted unless an appeal is approved by Council.

The building is currently vacant. A building permit for renovations was issued on February 15, 2007 and work has been substantially completed to upgrade the eleven housekeeping units into four one bedroom and four two bedroom suites. Engineering staff and the Manager of Social Planning and Housing have reviewed the applicant's appeal to Council. The applicant has offered a covenant to secure the four one bedroom units as rental (\$950 - \$1150 per month) for a period of ten years.

Should Council approve the appeal, the applicant may then submit a formal application, and staff will report on the application at a future Committee of the Whole meeting.

Committee members raised concerns with respect to retaining affordable rental stock and the precedent set by allowing this conversion.

Other Committee members expressed concerns regarding deferred maintenance and expensive renovations with staff proposing a supportable compromise.

Action: Councillor Fortin moved that the application for the Eleven Unit Residential Building be declined.

CARRIED 07/523

Councillors Coleman and Young voted against this motion

A Committee member requested staff review the landscaping provisions for this property. Staff advised that work that may not have been approved under the building permit is being reviewed.

8. LEGISLATIVE AND REGULATORY SERVICES

8.1 Animal Control Officer / Pound Keeper Appointment

Committee received a report dated September 12, 2007 from Legislative and Regulatory Services with respect to Animal Control Officer / Pound Keeper Appointment. Mario Dubois is employed with Victoria Animal Control Services (VACS) which by way of a contract with the City of Victoria enforces the City Animal Control Bylaw. In order to properly execute his duties, Mario will require an appointment to the position of 'Pound Keeper; and 'Animal Control Officer' to enforce the Animal Control Bylaw within the City and in Parks.

Melissa Schnuth has terminated her employment with VACS and her appointment should be withdrawn by Council.

Action: Councillor Madoff moved:

1. THAT it be recommended to Council that Mario Dubois be appointed to the position of animal control officer/pound keeper effective immediately.
2. THAT it be recommended to withdraw the appointment of Melissa Schnuth as animal control officer.
3. THAT these recommendations be forwarded to Council as soon as possible.

CARRIED 07/522

Councillor Coleman withdrew from Council Chambers at 10:05 a.m. as he works in a food primary business, which creates a direct pecuniary interest in this item.

8.2 Application for a Permanent Change to a Liquor Licence – Peacock Billiards 1175 C Douglas Street

Committee received a report dated September 24, 2007 from Legislative and Regulatory Services with respect to an Application for Permanent Change to a Liquor Licence at Peacock Billiards, 1175 C Douglas Street Liquor Licence No.181391. The purpose of this report is to provide a Council resolution to the Liquor Control and Licensing Branch regarding this application to change the hours of sale of an existing food-primary licence in a new location, as follows:

- From the currently approved hours of sale between 09:00h— 24:00h, seven days a week,
- To 11:00h - 2:00h seven days a week.

A Committee member inquired about liquor service which staff advised is not allowed in the pool playing area but in the lounge area. Restaurants are permitted to have live music but no dancing which would be categorized as patron participation. Concerns were also raised with respect to the extension to 02:00h and the possibility that it would attract undesirable patrons. Staff advised that the pool hall remains open 24 hours a day so that there is no reason for patrons to leave after food and beverage service ends. The business owner has made a significant investment in the premises and does not wish to attract troublesome patrons.

- Action:** Councillor Thornton-Joe moved that Victoria City Council after conducting a review with respect to noise and community impacts for the Permanent Change to a Liquor Licence Application for Peacock Billiards located at 1175 C Douglas Street, Victoria B.C., Food-Primary Licence No. 181 391 supports:
1. The application for extension of hours of liquor service;
 - a) 11:00h to 02:00h seven days a week, and
 - b) 11:00h to 23:00h for the patio.
 2. Victoria City Council accepts the attached staff report of September 7, 2007 in support of these recommendations.
 3. Victoria City Council comments on the prescribed considerations are as follows:
 - a) The location along a busy commercial street, with limited residential within 100 metres, makes this business compatible with the neighbouring land uses. It is expected there will be some potential for an increase in noise and nuisance, however, as the associated business and restaurant are operated on a 24 hour basis, it is not expected patrons will spill into the streets mixing with the bar crowd; the operation is in the intermediate Zone of the Noise Bylaw which allows for a higher threshold for noises;
 - b) The extension of hours of a 135 person capacity food-primary establishment will have some impact to the neighbourhood. The restaurant and billiard hall add vibrancy and a unique entertainment option to the downtown;
 - c) The maximum person capacity of 135 persons with operating hours of 11:00h — 02:00h seven days a week is supportable based on the nature of the business plan which has a primary focus on food sales and the pool hall business. The condition of a Food-Primary licence requires food service established by a set menu during all hours of operation. The operation in the previous location attracted patrons interested in food service after hours. This operation does have 20 seat lounge or liquor primary seats.
 - d) The views of the residents were solicited through public notice and notification letter sent to surrounding residents and property owners as described in the staff report of September 24, 2007 to which Council received three letters of opposition and eight letters of support.

CARRIED 07/521

Councillor Coleman returned to the meeting at 10:16 a.m.

8.3 Proposed Bylaw to Regulate Abandoned / Derelict Properties

Committee received a report dated September 18, 2007 Legislative and Regulatory Services with respect to a Proposed Bylaw to Regulate Abandoned / Derelict Properties to Council that will more effectively deal with 'nuisances' arising from vacant and derelict properties.

Staff have continued to monitor calls for service to Abandoned Properties and have found that the existing powers of enforcement fail to address the ongoing 'nuisances' arising from vacant and derelict properties.

The goal of the Bylaw is to ensure that Abandoned Properties meet basic standards for the health, safety, protection of persons and property, and to regulate the safeguarding and security requirements for abandoned or unoccupied buildings on properties within City jurisdiction.

The Bylaw applies to all property that is 'Abandoned'. An Abandoned Property is defined as any building, structure, or improvement which has remained unoccupied by the Owner or any tenant or occupier lawfully entitled to occupy the building, structure, or improvement for a continuous period of over thirty (30) days.

Section 3 of the Bylaw (Duty of Owner) sets out basic standards of maintenance for Abandoned Properties which are brought to the City's attention. It covers such things as structural barriers, security fencing, security lighting, security alarm systems, employing security or guard patrols, or other security measures as required.

The Bylaw does not contain any provisions which regulate aesthetics as this requires legislative amendments to the *Community Charter*. However, the owner of an Abandoned Property must ensure that the building is maintained to the standards set out in the Bylaw and is secure from unauthorized entry. Provisions within the City's *Property Maintenance Bylaw* also may be used if required.

Committee was advised that the motions to identify a class of property and set a higher tax rate were passed at UBCM.

This *Abandoned Properties Bylaw* is another tool to require owners to fully secure the building and reduce the draw on police services. Legal action may have to be taken on a heritage building where the roof has caved in though the structure has been propped up. Committee members discussed the possibility of registering heritage properties to require owners to maintain heritage elements that would otherwise be lost through neglect. The Corporate Administrator advised that municipal tickets with penalties up to \$10,000 could be issued and is a topic for discussion as this bylaw moves forward.

Action: Councillor Madoff moved that Council request that staff review the potential to designate downtown properties as municipal heritage sites and report back to Committee.

CARRIED 07/520

Action: Councillor Thornton-Joe moved that Council adopt the proposed *Abandoned Properties Bylaw* and the enforcement strategy as outlined in Option A in the report dated September 18, 2007.

CARRIED 07/519

A Committee member requested that this report be forwarded to the Downtown Advisory Committee for their information.

9 ADMINISTRATIVE MATTERS

9.1 Disposition of Communications dated September 27, 2007

Action: Councillor Coleman moved that the Disposition of Communications dated September 27, 2007 from the Manager, Administration, be received for information and filed.

CARRIED 07/518

9.2 Proclamations – “Homeless Action Week” October 15th – 21st, 2007

Action: Councillor Hughes moved that the week of October 15th – 21st, 2007 be proclaimed as “*Homeless Action Week*”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/517

9.3 Proclamations – “GuluWalk Day” October 20th, 2007

Action: Councillor Hughes moved that October 20th, 2007 be proclaimed as “*GuluWalk Day*”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/516

9.4 Tipitapa Literacy Project

Committee received information from the September 13, 2007 Council meeting with respect to the Tipitapa Literacy Project which was forwarded to Council from the Finance Committee.

A Committee member noted that the partnership with Tipitapa with respect to solid waste should also recognize the importance of literacy.

A Committee member expressed concern regarding the degree to which charitable donations are taxing citizens.

Action: Councillor Fortin moved that Council approve providing a grant to the Central American Support Committee in the amount of \$2,000.00

CARRIED 07/515

Councillor Young voted against this motion.

10. COUNCILLOR SHARING AND INQUIRIES

10.1 BC Minimum Wage Increase

Committee discussed the BC Minimum Wage Increase; a subject that was raised at the September 13, 2007 Council meeting and was requested to go to Committee of the Whole for discussion.

Committee members discussed the difficulties faced by those living on the minimum wage, particularly those in the service industry. Though a Committee member argued that this issue is outside municipal jurisdiction, Committee members requested that a letter be sent to the province requesting a review of the minimum and training wage at this time of economic prosperity.

Action: Councillor Hughes moved that Council request that staff send a letter to the provincial government to review and raise the B.C. Minimum Wage and refer to the 'Vital Signs' report produced by the Victoria Foundation.

CARRIED 07/514

Councillor Young voted against this motion

10.2 Downtown Regulation of Late Night Nuisances

Committee members received a report dated October 4, 2007 from the Mayor's Office with respect to Downtown Regulation of Late Night Nuisances. In August 2007 the Mayor met with three representatives from the Bar and Cabaret Owners Association — Liam Lux (Lucky Bar), Andrew Wickens (Steamer's) and Nels Dugstad (Irish Times Pub) to discuss Council's concerns about public urination and other late night public nuisance behaviours and to identify strategies to curb these activities. Further meetings have indicated the City's willingness to work collaboratively with Association members while at the same time clearly communicating that non-compliance with the terms and conditions of business and/or liquor licenses will be met with ongoing enforcement.

Outlined below are a range of strategies that have been discussed with the objective of seeking Councillor's input and feedback. Collectively, these strategies represent a "carrot and stick" approach to securing compliance:

- Review existing City bylaws with the objective of creating a more effective range of enforcement tools. Options include creating or amending existing bylaws to more effectively target:

1. bar patrons for disorderly conduct (e.g. fighting, public urination, public drunkenness); and
2. food primaries operating as de facto liquor primaries.

Both bar patrons and business owners need to be more responsible for their actions. Penalties for bar patrons may need to be increased to send the message that irresponsible behaviour, including public intoxication is not acceptable. For business owners who are engaging in business practices that are contrary to the terms of their liquor and/or business licenses, evidence-based non-compliance could lead to increased fines, a reduction in business hours and a rescinding of business licenses if warranted. Other strategies include:

1. Initiate a pilot program that would extend closing hours for liquor primaries until 3:00 am (with last call still being 2:00 am) coupled with the provision of food on site and the stipulation that no new customers be allowed into the establishment after 1:30 am. The change in hours would allow for a more orderly departure pattern as well as providing existing customers with an opportunity to eat onsite and use washroom facilities before moving outside. It is recommended that we approach the Liquor Licensing Branch with this request and seek a 4 month pilot project, with the ability for us to cancel the pilot project at anytime, should the project not be meeting its goals.
2. Provide more transportation choices through a combination of private and/or public late night bus/shuttle service. A private bus company is developing a proposal to provide late night service out of the downtown core based on a one-hour "loop" that would potentially incorporate the UVIC campus as well as several other stops, beginning at 12:30 or 1:00 am and running to approximately 3:30 or 4:00 am. Capacity of the first bus would be 40 people and a \$5 per fare charge is being proposed. Further discussions with UVIC and BC Transit are required regarding this potential service as well as enhanced public transit.
3. Discussion with local cab companies should occur to determine if a more orderly pickup and drop off protocol can be established. A suggestion to use an area along Douglas Street between Yates and Fort as a cab drop off and pick up zone between the hours of 12:30 am and 3:30 am was proposed.
4. Representatives from the Bar and Cabaret Owners Association have developed a public education campaign emphasizing responsible choices and responsible drinking. These posters will be put up in the local bars and cabarets, as well as at the University Campus.
5. An intensive lobbying effort to secure more provincial liquor inspectors. The City's enforcement efforts are but one piece of the overall enforcement puzzle. Police and bylaw staff will continue to work closely with their provincial counterparts but there is a clear need for more intensive and sustained enforcement of Provincial liquor regulations. The Mayor's office is scheduling a meeting with representatives from the Liquor Control and Licensing Branch to discuss our concerns and to seek their input on enforcement strategies.

These recommendations are based on the following principles:

1. We expect both bar patrons and bar owners/employees to behave responsibly and we are going to hold them accountable.
2. Our police are doing as much enforcement as they can. Compliance with Provincial liquor laws is the responsibility of LCLB.

3. There is an acute need to create a more orderly, and less congested, dispersal of people out of the bars, onto the streets and out of the downtown core.
4. We need to find a more efficient way of transporting bar patrons home.

Bar and Cabaret Association members L. Lux and A. Wickens spoke to Committee with respect to their commitment to work with the City, Police and Liquor Licensing Board on these problems being mindful of the need to run a compliant business and of the residential mix downtown. They are working on developing a late night transportation service. With respect to the extra half hour at closing time, Association members noted that it is strictly a time for patrons to disperse from their establishments; not extra time for service.

The Police noted the strain on their resources and the crowd management issues that impact their department when addressing these nuisances.

Committee members noted the need for punitive fines or other tools to send a clear message that nuisance behaviour is not tolerated. Also noted was the need to coordinate with the Liquor Control Inspectors to provide a powerful compliance tool.

Action: Councillor Thornton-Joe moved that Council direct staff to work with the Liquor Control and Licensing Branch and Police to explore policies to address contraventions that occur at liquor establishments including a four month pilot program that would extend closing hours for liquor primaries until 3:00 a.m. with the ability for the City to cancel the pilot project at anytime, should the project not be meeting its goals.

CARRIED 07/513

11. CLOSED MEETING at 11:41 a.m.

Committee Members Present: Mayor Lowe in the Chair, Councillors Coleman, Fortin, Hughes, Madoff, Thornton-Joe and Young.

On Leave: Councillor Chandler.

Absent: Councillor Holland.

Staff Present: M. McCliggott – Assistant City Manager; R. Woodland – Acting Corporate Administrator; B. Wiffen – Property Manager; C. Havelka - Recording Secretary.

Action: Councillor Hughes moved that Committee of the Whole convene a Closed meeting that excludes the public under Section 11(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Section 11(3) and/or (4) of the Council Bylaw.

CARRIED 07/512

Committee recessed at 11:41 a.m.

Mayor Lowe withdrew from Council Chambers at 11:41 a.m.

Councillor Coleman assumed the Chair at 11:54 a.m.

Action: Councillor Coleman moved that Committee reconvene at 11:56 a.m.

CARRIED 07/511

11.1 Minutes of the Closed Portion of the Committee of the Whole Meeting held September 20, 2007

Action: Councillor Fortin moved that the Closed Minutes from the Committee of the Whole Meeting held September 20, 2007 be adopted.

CARRIED 07/510

11.2 Minutes of the Special Closed Committee of the Whole Meeting held September 24, 2007

Action: Councillor Fortin moved that the Closed Minutes from the Special Closed Committee of the Whole Meeting held September 24, 2007 be adopted.

CARRIED 07/509

Mayor Lowe returned to Council Chambers at 11:58 a.m. and assumed the Chair

11.3 Labour Relations Update

Mayor Lowe withdrew from Council Chambers at 11:59 a.m.

Councillor Coleman assumed the Chair

Committee received correspondence dated October 1, 2007 from R. Brunson of the GVLRA with respect to a Labour Relations Update for the Greater Victoria Public Library.

Committee members will receive a brief summary from the Manager of Corporate Communications as a response to inquiries from the public.

Mayor Lowe returned to Council Chambers at 12:07 p.m. and assumed the Chair

11.4 Land – Disposition

Committee received a report dated September 5, 2007 from Parks with respect to the Craighdarroch Castle Grounds Restoration.

Action: Councillor Fortin moved that Council authorize staff to undertake the necessary processes to transfer title to the lane located between Craigdarroch Road and Craigdarroch Castle grounds, to the Craigdarroch Castle Historical Museum Society, subject to:

1. The Society being responsible for all costs associated with the transfer process.
2. The Society being responsible for all costs associated with renovation and maintenance of the lane.
3. A statutory right of way being placed on title assuring right of public access.
4. Consideration: \$1
5. Advertising of the disposition in accordance with the Charter.

CARRIED 07/508

11.5 COUNCILLOR INQUIRY – COUNCILLOR FORTIN

Councillor Fortin referred to a request made by the Social Planning and Housing Advisory Committee with respect to a legal opinion. The Corporate Administrator advised that he will forward the document drafted in plain language to Committee.

Councillor Fortin requested that staff review options for the Cormorant Street needle exchange to address the social issues on that street. The City Manager will update Committee on this issue at the closed portion of the next Committee of the Whole meeting.

12. ADJOURNMENT

Action: Councillor Hughes moved that the Committee of the Whole meeting of October 4, 2007 be adjourned at 12:30 p.m.

CARRIED 07/507

Mayor Lowe, Chair